IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN,
AT JAIPUR BENCH, JAIPUR.

J U D G M E N T

S.B. CIVIL MISC. APPEAL NO. 1121/2007

SITA RAM MEENA Vs. SMT. CHANDI & ORS.

DATE: 23.04.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Anil Sharma for the plaintiff-appellant.

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The present civil misc. appeal under Order 43 Rule 1 CPC is directed against the order dated 04.12.2006 passed by the Additional District & Sessions Judge No.1, Jaipur District, Jaipur in Case No. 179/2006, whereby the application of the appellant under Order 39 Rule 1 & 2 CPC has been rejected.

While rejecting the application of the appellant it is observed by the Court below that the appellant is not in physical possession of the disputed shops, therefore, temporary injunction has not been granted in favour of the appellant and after a year this appeal has been filed against the said order.

At this stage, I find no illegality or error in the impugned order dated 04.12.2006 passed by the Additional District & Sessions Judge No.1, Jaipur District, Jaipur, but having considered the submissions

made by the learned counsel for the appellant that the matter may be decided expeditiously, the Court below is directed to decide the suit in question expeditiously but in any case not beyond the period of six months from the date of receipt of certified copy of this order.

Accordingly, the present civil misc. appeal stands disposed of.

(K.S. RATHORE),J.

/KKC/